

**Minutes**  
**State Election Commission Meeting**  
**August 13, 2012**

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The State Election Commission meeting was called to order by Chairman Kent Younce at 12:09 p.m., Central Standard Time August 13, 2012. The following members and staff were present: Chairman Younce; Commissioners Blackburn, DuBois, Duckett, Head, Wallace, and Wheeler, Coordinator of Elections Mark Goins; and Kathy Summers, Elections Specialist.

Motion was made, seconded and unanimously approved to adopt the minutes from July 16, 2012.

Pursuant to T.C.A. § § 2-12-101 and 2-12-106, motion was made, seconded and unanimously approved to accept the nominations for county election commission appointment as submitted by commission members and to leave nomination process open until 4:30 p.m., Central Standard Time, August 13, 2012. (See attached list of appointments made.)

**Old Business**

- None

**New Business**

- Mark Beckstrand, Ed Smith, Ian Piper and Paul Terwilliger of Dominion Voting gave a demonstration of their voting machine Democracy Suite 4.0. State Election Commission members viewed the voting machine in New York on September 14, 2010 and November 2, 2010.

After discussion, a motion was made, seconded and unanimously approved the certification of Dominion's voting machine Democracy Suite 4.0 with EAC certification number DVS-40-G-10. (See attached letters and documentation submitted for certification.)

**Coordinator Update**

- **Roane County – County Election Commissioner**
- Coordinator Goins gave an update regarding the status of the request for an AG Opinion and advised since the last State Election Commission meeting the Roane County Election Commissioner in question has resigned from the Roane County Utilities Board.
- **Letter to Comptroller of the Treasury**

Secretary Hargett and Coordinator Goins have requested the Comptroller's office to conduct an audit of the Shelby County Election Commission. (See attached letter.)

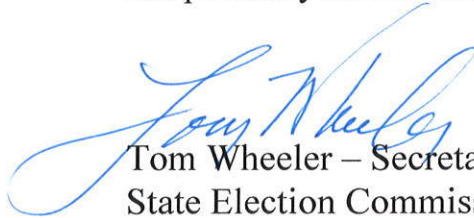
- **Letter to Rich Holden – AOE for Shelby County Election Commission**

Coordinator Goins has sent a letter to Rich Holden, Administrator of Elections for Shelby County requesting answers to various questions regarding redistricting and problems at the polls on Election Day. (See attached letter.)

The next meeting is September 10, 2012. The meeting will be held in the William R. Snodgrass – Tennessee Tower, 3<sup>rd</sup> Floor, Robertson Room at NOON Central Daylight Time.

Motion was made to adjourn, and there being no further business to come before the commission at this time, the meeting was adjourned.

Respectfully submitted,



Tom Wheeler – Secretary  
State Election Commission

# Vacant Status

13-Aug-12

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## Benton

D Greg Duckett  
R Jimmy Wallace

D

## Cannon

D Tommy Head  
R Kent Younce

R

## Dekalb

D Tommy Head  
R Kent Younce

D

**Total Vacancies: 3**

# Holdover Status

13-Aug-12

		Appointment	Reappointment
<b>Gibson</b>			
D	Greg Duckett		
R	Jimmy Wallace		
	D Kathleen Smith	6/22/2007	5/27/2009
	D Robert S. Phelan	4/3/1995	5/27/2009
<b>Haywood</b>			
D	Greg Duckett		
R	Jimmy Wallace		
	D Aubrey Lee Bond	4/3/1995	4/6/2009
	D Ida Ruth Bradford	4/3/1995	4/6/2009
<b>Henderson</b>			
D	Greg Duckett		
R	Jimmy Wallace		
	D Cornelia T. Morris	4/3/1995	4/6/2009
	D Pope Thomas	4/17/2001	4/6/2009
<b>Henry</b>			
D	Greg Duckett		
R	Jimmy Wallace		
	D Paul David Hessing	4/6/2009	4/6/2009
	D Sylvia C. Humphreys	5/19/1998	4/6/2009
<b>Total Holdovers: 8</b>			

# New Appointment Status

13-Aug-12

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## Appointment

### Cannon

D Tommy Head / R Kent Younce

R James W. Hill

8/13/2012

### Dekalb

D Tommy Head / R Kent Younce

D Richard Hearon Puckett

8/13/2012

**Total New Commissioners: 2**

Tre Hargett, Secretary of State  
**State of Tennessee**



Division of Elections  
312 Rosa L. Parks Avenue, 9<sup>th</sup> Floor  
Nashville, Tennessee 37243-0305

Mark Goins  
Coordinator of Elections

615-741-7956  
Mark.Goins@tn.gov

August 14, 2012

Ed Smith  
Vice President of Certification and Compliance  
Dominion Voting  
1201 18<sup>th</sup> Street, Suite 210  
Denver, CO 80202

Dear Mr. Smith:

This letter is to inform you of certification of the Dominion Voting Democracy Suite 4.0, bearing the EAC Certification Number: DVS-40-G-10 by the State Election Commission on August 13, 2012. This machine was previously viewed in New York on September 14, 2010 and on November 2, 2010. The machine was demonstrated before the State Election Commission on August 13, 2012.

Thank you for your cooperation in the certification process.

Sincerely,

A handwritten signature in black ink that reads "Mark Goins".

Mark Goins  
Coordinator of Elections

Cc: Mark Beckstrand

Attachment: EAC Certification Number DVS-40-G-10



United States Election Assistance Commission



## Certificate of Conformance

### Dominion Voting Democracy Suite 4.0

The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the 2005 *Voluntary Voting System Guidelines (2005 VVSG)*. Components evaluated for this certification are detailed in the attached Scope of Certification document. This certificate applies only to the specific version and release of the product in its evaluated configuration. The evaluation has been verified by the EAC in accordance with the provisions of the *EAC Voting System Testing and Certification Program Manual* and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.

Product Name: Democracy Suite

Model or Version: 4.0

Name of VSTL: Wyle Laboratories

EAC Certification Number: DVS-40-G-10

Date Issued: May 10, 2012

*Mark A. Robbins*

General Counsel and Acting Executive Director  
U.S. Election Assistance Commission

**Scope of Certification Attached**



**Manufacturer:** *Dominion Voting*  
**System Name:** *Democracy Suite 4.0*  
**Certificate:** *DVS-40-G-10*

**Laboratory:** *Wyle Laboratories*  
**Standard:** *VVSG 1.0 (2005)*  
**Date:** *May 10, 2012*



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## Scope of Certification

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This document describes the scope of the validation and certification of the system defined above. Any use, configuration changes, revision changes, additions or subtractions from the described system are not included in this evaluation.

### Significance of EAC Certification

An EAC certification is an official recognition that a voting system (in a specific configuration or configurations) has been tested to and has met an identified set of Federal voting system standards. An EAC certification is **not**:

- An endorsement of a Manufacturer, voting system, or any of the system's components.
- A Federal warranty of the voting system or any of its components.
- A determination that a voting system, when fielded, will be operated in a manner that meets all HAVA requirements.
- A substitute for State or local certification and testing.
- A determination that the system is ready for use in an election.
- A determination that any particular component of a certified system is itself certified for use outside the certified configuration.

### Representation of EAC Certification

Manufacturers may not represent or imply that a voting system is certified unless it has received a Certificate of Conformance for that system. Statements regarding EAC certification in brochures, on Web sites, on displays, and in advertising/sales literature must be made solely in reference to specific systems. Any action by a Manufacturer to suggest EAC endorsement of its product or organization is strictly prohibited and may result in a Manufacturer's suspension or other action pursuant to Federal civil and criminal law.

### System Overview:

The Dominion Voting Systems Democracy Suite Version 4.0 Voting System is a paper-based, optical scan voting system. The Democracy Suite Version 4.0 Voting System hardware consists of four major components:

- The Election Management System (EMS). The Dominion Voting Systems Democracy Suite 4.0 EMS consists of seven components running as either a front-end/client application or as a back-end/server application. Below is a list and brief description of each.



- Democracy Suite 4.0 EMS Election Event Designer client application - integrates election definition functionality and represents a main pre-voting phase end-user application.
- Democracy Suite 4.0 EMS Results Tally and Reporting client application - integrates election results acquisition, validation, tabulation, reporting and publishing capabilities and represents a main post-voting phase end-user application.
- Democracy Suite 4.0 EMS Audio Studio client application - represents an end-user helper application used to record audio files for a given election project. As such, it is utilized during the pre-voting phase of the election cycle.
- Democracy Suite 4.0 EMS Data Center Manager client application - represents a system level configuration application used in EMS back-end data center configuration.
- Democracy Suite 4.0 EMS Application Server application - represents a server side application responsible for executing long running processes, such as rendering ballots, generating audio files and election files.
- Democracy Suite 4.0 EMS Network Attached Storage (NAS) Server application - represents a server side file repository for election project file based artifacts, such as ballots, audio files, reports, log files, and election files.
- Democracy Suite 4.0 EMS Database Server application - represents a server side RDBMS repository of the election project database which holds all the election project data, such as districts, precincts, candidates, contests, ballot layouts, tabulators, vote totals, and poll status.
- ImageCast Evolution (ICE) precinct scanner with optional ballot marking capabilities. The Dominion Democracy Suite ImageCast Evolution system employs a precinct-level optical scan ballot counter (tabulator) in conjunction with an external ballot box. This tabulator is designed to mark and/or scan paper ballots, interpret voting marks, communicate these interpretations back to the voter (either visually through the integrated LCD display or audibly via integrated headphones), and upon the voter's acceptance, deposit the ballots into the secure ballot box. The unit also features an Audio Tactile Interface (ATI) which permits voters who cannot negotiate a paper ballot to generate a synchronously human and machine-readable ballot from elector-input vote selections. The ATI can also accept input from sip and puff and other personal assistive technologies. In this sense, the ImageCast Evolution acts as a ballot marking device.
- ImageCast Precinct (ICP) precinct scanner. The ImageCast Precinct Ballot Counter is a precinct-based optical scan ballot tabulator that is used in conjunction with ImageCast compatible external ballot boxes. The system is designed to scan marked paper ballots, interpret voter marks on the paper ballot and safely store and tabulate each vote from each paper ballot. In addition, the ImageCast Precinct supports enhanced accessibility voting which may be accomplished via an Audio Tactile Interface (ATI) connected to the ImageCast unit. The ATI can also accept input from sip and puff and other personal assistive technologies.
- ImageCast Central (ICC) central count scanner. The Dominion Democracy Suite ICC Ballot Counter system is a high-speed, central ballot scan tabulator based on Commercial off the Shelf (COTS) hardware, coupled with the custom-made ballot processing application software. It is used for high speed scanning and counting of paper ballots. Central

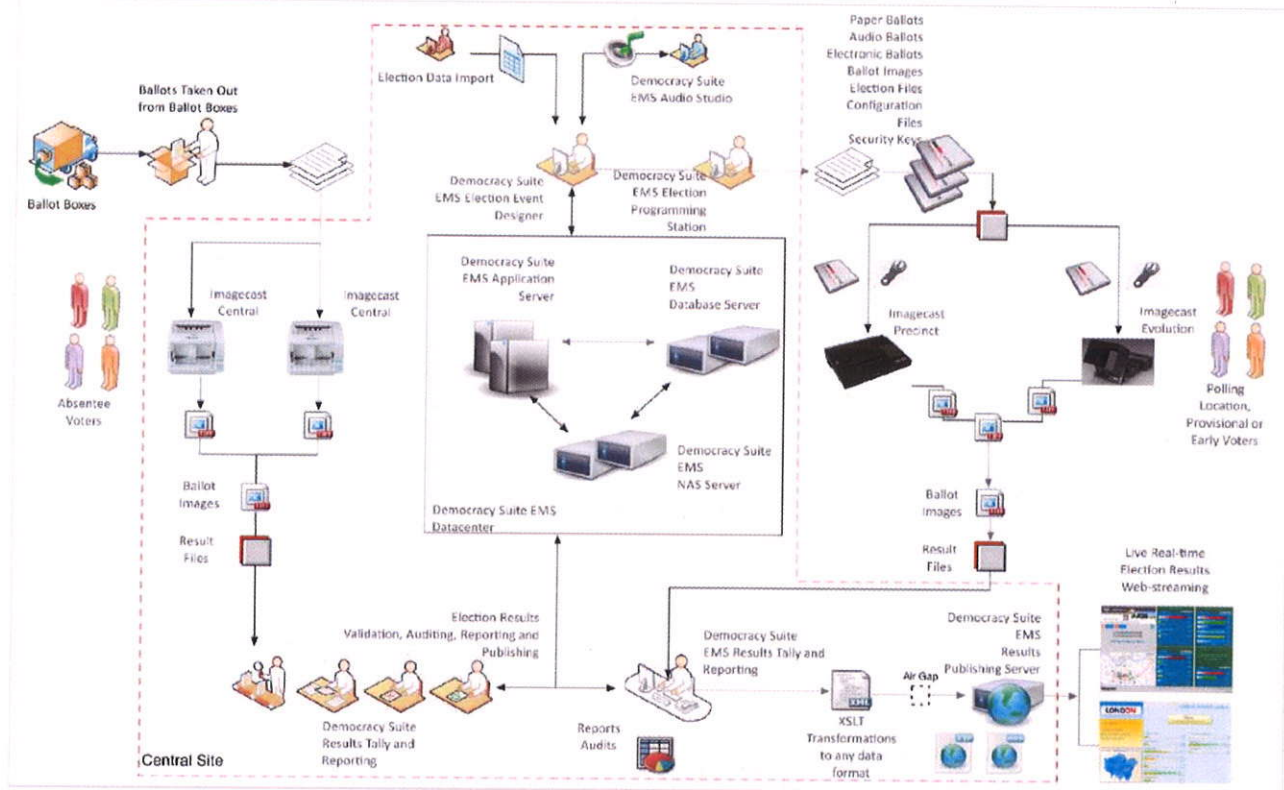
scanning system hardware consists of a combination of two COTS devices used together to provide the required ballot scanning processing functionality:

- Canon DR-X10C Scanner: used to provide ballot scanning and image transfers to the local ImageCast Central Workstation.
- ImageCast Central Workstation: a COTS computer used for ballot image and election rules processing and results transfer to the EMS Datacenter. The ImageCast Central Workstation is COTS hardware which executes software for both image processing and election rules application.

**Mark definition:** 50% or more of the target area marked consistently provides mark recognition. The manufacturer recommends black ink for marking ballot selections.

**Tested Marking Devices:** Sharpie brand markers, black ink

**Language capability:** This voting system supports: Alaska Native, Aleut, Athabaskan, Chinese, English, Eskimo, Filipino, French, Japanese, Korean, Spanish, and Vietnamese. Additionally, the following Native American languages are supported: Apache, Jicarilla, Keres, Navajo, Seminole, Towa, Ute, and Yuman.



### Components Included:

This section provides information describing the components and revision level of the primary components included in this Certification.

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
ImageCast Precinct	4.6.4	320A	uClinux	
ImageCast Evolution	4.6.2.3	400A	Ubuntu linux	
ImageCast Central	4.6.3	Canon DR-X10C	COTS	Windows 7
Democracy Suite election management system	4.6.07	N/A (application software)	Windows Server 2008 R2	
Server Hardware		Dell PowerEdge	Windows Server	Processor: Intel

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
		R610	2008 R2	Xeon E5620 2.4 GHz, Memory: 8x 2GB 1333MHz DDR3, Hard Drive Capacity: 2x 500GB
Client Hardware		Dell Precision T1500	Windows 7 Professional	Processor: Intel Core i7-860 2.8 GHz, Memory: 4x 1GB 1333MHz DDR3, Hard Drive Capacity: 500 GB
Client Hardware		Dell Inspiron 2305	Windows 7 Professional	Processor: AMD Athlon II X2 240e 2.8 GHz, Memory: 8GB Dual Channel 1333MHz DDR3, Hard Drive Capacity: 1 TB
NASdisk array		Rocstor Guardian 4RM		2 TB size
Additional data storage		Rocstor Commander 2UE Portable Hard Drive		500 GB
iButton (SHA-1) with USB Reader/Writer		USB R/W: DS9490R iButton: DS1963S		MAXIM/Dallas Semiconductor
LCD monitor		Dell 1909W or N445N		
Audio Adapter		Soundwave 7.1 USB Audio Adapter		
PCI Software	Soundwave 7.1			
USB software	Soundwave 7.1 USB			For audio adapter
Network switch		D-Link DES-1105 5-Port Switch		Also can use DGS-2208 if 8-port needed
Mouse		Dell or Microsoft		With rollerball
Keyboard		Kensington, Microsoft, or IBM		USB enabled
Compact Flash Reader/Writer		SanDisk or GGI Gear		
Headphones		Sony, CyberAcoustics, or Radio Shack		Sony MDR-G45LP-01; CyberAcoustics ACM-70; Radio Shack Model 33-276-01
eSATA PCI card		SIG, Inc		eSATA II PCIe Pro Card
Sp and Puff		Origin Instruments		Model: AirVoter
Disposable Sp and Puff Mouthpieces		Origin Instruments		Part number AC-310

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
Footswitch Pair		Enabling Devices		Rocker Paddle
Compact Flash cards		RFData		CFC-14A
Machine Tape rolls				Available from Dominion Voting
Tamper Evident Seals				Available from Dominion Voting
Ballot Privacy Sleeves		Various lengths to fit the ballot		Available from Dominion Voting
Machine cleaning kit		For ImageCast Precinct, Evolution, and Central		Available from Dominion Voting

## System Limitations

This table depicts the limits the system has been tested and certified to meet.

Characteristic	Limiting Component	Limit	Comment
Ballot positions	The ballot	462	Standard Configuration
Precincts in an election	EMS	1000	Standard Configuration
Contests in an election	EMS	4000	Standard Configuration As tested
Candidates/ Counters in an election	EMS	40000	Standard Configuration As tested
Candidates/ Counters in a precinct	Tabulator	462	Standard Configuration
Candidates/ Counters in a tabulator	Tabulator	10000	Standard Configuration
Ballot Styles in an election	Tabulator	4000	Standard Configuration As tested
Contests in a ballot style	Tabulator	156	Standard Configuration
Candidates in a contest	EMS	462	Standard Configuration As tested
Ballot styles in a precinct	Tabulator	5	Standard Configuration
Number of political parties	Tabulator	30	Standard Configuration
"vote for" in a contest	Tabulator	30	Standard Configuration
Supported languages in an election	Tabulator	5	Standard Configuration
Number of write-ins	The ballot	462	Standard Configuration
Ballot positions	The ballot	462	Express Configuration
Precincts in an election	EMS	250	Express Configuration
Contests in an election	EMS	250	Express Configuration
Candidates/ Counters in an election	EMS	2500	Express Configuration
Candidates/ Counters in a precinct	Tabulator	462	Express Configuration
Candidates/ Counters in a tabulator	EMS	2500	Express Configuration
Ballot Styles in an election	EMS	750	Express Configuration
Contests in a ballot style	Tabulator	156	Express Configuration
Candidates in a contest	EMS	231	Express Configuration
Ballot styles in a precinct	Tabulator	5	Express Configuration
Number of political parties	Tabulator	30	Express Configuration
"vote for" in a contest	Tabulator	30	Express Configuration
Supported languages in an election	Tabulator	5	Express Configuration
Number of write-ins	The ballot	462	Express Configuration

## Functionality

### 2005 VVSG Supported Functionality Declaration

Feature/ Characteristic	Yes/ No	Comment
Voter Verified Paper Audit Trails		
VPAT	N/A	
Accessibility		
Forward Approach	YES	
Parallel (Side) Approach	YES	
Closed Primary		
Primary: Closed	YES	
Open Primary		
Primary: Open Standard (provide definition of how supported)	NO	
Primary: Open Blanket (provide definition of how supported)	NO	
Partisan & Non-Partisan:		
Partisan & Non-Partisan: Vote for 1 of N race	YES	
Partisan & Non-Partisan: Multi-member ("vote for N of M") board races	YES	
Partisan & Non-Partisan: "vote for 1" race with a single candidate and write-in voting	YES	
Partisan & Non-Partisan "vote for 1" race with no declared candidates and write-in voting	YES	
Write-In Voting:		
Write-in Voting: System default is a voting position identified for write-ins.	YES	
Write-in Voting: Without selecting a write in position.	NO	
Write-in: With No Declared Candidates	YES	
Write-in: Identification of write-ins for resolution at central count	YES	
Primary Presidential Delegation Nominations & States:		
Primary Presidential Delegation Nominations: Displayed delegate states for each presidential party	YES	
State & Group Voting: one selection votes the slate.	YES	
Ballot Rotation:		
Rotation of Names within an Office; define all supported rotation methods for location on the ballot and vote tabulation/reporting	YES	Equal time rotation only in this version
Straight Party Voting:		
Straight Party: A single selection for partisan races in a general election	YES	
Straight Party: Vote for each candidate individually	YES	
Straight Party: Modify straight party selections with crossover votes	YES	
Straight Party: A race without a candidate for one party	YES	
Straight Party: "N of M race (where "N">1)	YES	
Straight Party: Excludes a partisan contest from the straight party selection	YES	
Cross-Party Endorsement:		
Cross party endorsements, multiple parties endorse one candidate.	YES	
Split Precincts:		
Split Precincts: Multiple ballot styles	YES	
Split Precincts: P & M system support splits with correct contests and ballot identification of each split	YES	
Split Precincts: DRE matches voter to all applicable races.	N/A	



Feature/ Characteristic	Yes/No	Comment
Split Precincts: Reporting of voter counts (# of voters) to the precinct split level; Reporting of vote totals is to the precinct level	YES	
Vote N of M:		
Vote for N of M: Counts each selected candidate, if the maximum is not exceeded.	YES	
Vote for N of M: Invalidates all candidates in an overvote (paper)	YES	
Recall Issues, with options:		
Recall Issues with Options: Simple Yes/No with separate race/ election. (Vote Yes or No Question)	YES	
Recall Issues with Options: Retain is the first option, Replacement candidate for the second or more options (Vote 1 of M)	NO	
Recall Issues with Options: Two contests with access to a second contest conditional upon a specific vote in contest one. (Must vote Yes to vote in 2 <sup>nd</sup> contest.)	NO	
Recall Issues with Options: Two contests with access to a second contest conditional upon any vote in contest one. (Must vote Yes to vote in 2 <sup>nd</sup> contest.)	NO	
Cumulative Voting		
Cumulative Voting: Voters are permitted to cast, as many votes as there are seats to be filled for one or more candidates. Voters are not limited to giving only one vote to a candidate. Instead, they can put multiple votes on one or more candidate.	NO	
Ranked Order Voting		
Ranked Order Voting: Voters can write in a ranked vote.	NO	
Ranked Order Voting: A ballot stops being counting when all ranked choices have been eliminated	NO	
Ranked Order Voting: A ballot with a skipped rank counts the vote for the next rank.	NO	
Ranked Order Voting: Voters rank candidates in a contest in order of choice. A candidate receiving a majority of the first choice votes wins. If no candidate receives a majority of first choice votes, the last place candidate is deleted, each ballot cast for the deleted candidate counts for the second choice candidate listed on the ballot. The process of eliminating the last place candidate and recounting the ballots continues until one candidate receives a majority of the vote	NO	
Ranked Order Voting: A ballot with two choices ranked the same, stops being counted at the point of two similarly ranked choices.	NO	
Ranked Order Voting: The total number of votes for two or more candidates with the least votes is less than the votes of the candidate with the next highest number of votes, the candidates with the least votes are eliminated simultaneously and their votes transferred to the next-ranked continuing candidate.	NO	
Provisional or Challenged Ballots		
Provisional/ Challenged Ballots: A voted provisional ballots is identified but not included in the tabulation, but can be added in the central count.	YES	

Feature/Characteristic	Yes/No	Comment
Provisional/ Challenged Ballots: A voted provisional ballots is included in the tabulation, but is identified and can be subtracted in the central count	NO	
Provisional/ Challenged Ballots: Provisional ballots maintain the secrecy of the ballot.	YES	
Overvotes (must support for specific type of voting system)		
Overvotes: P & M: Overvote invalidates the vote. Define how overvotes are counted.	YES	Overvotes cause a warning to the voter and can be configured to allow voter to override.
Overvotes: DRE: Prevented from or requires correction of overvoting.	N/A	
Overvotes: If a system does not prevent overvotes, it must count them. Define how overvotes are counted.	YES	If allowed via voter override, overvotes are tallied separately.
Overvotes: DRE systems that provide a method to data enter absentee votes must account for overvotes.	N/A	
Undervotes		
Undervotes: System counts undervotes cast for accounting purposes	YES	
Blank Ballots		
Totally Blank Ballots: Any blank ballot alert is tested.	YES	Precinct voters receive a warning; both precinct and central scanners will warn on blank ballots.
Totally Blank Ballots: If blank ballots are not immediately processed, there must be a provision to recognize and accept them	YES	Blank ballots are flagged. These ballots can be manually examined and then be scanned and accepted as blank; or precinct voter can override and accept.
Totally Blank Ballots: If operators can access a blank ballot, there must be a provision for resolution.	YES	Operators can examine a blank ballot, re-mark if needed and allowed, and then re-scan it.
Networking		
Wide Area Network – Use of Modems	NO	
Wide Area Network – Use of Wireless	NO	
Local Area Network – Use of TCP/IP	YES	Client/ server only
Local Area Network – Use of Infrared	NO	
Local Area Network – Use of Wireless	NO	
FIPS 140-2 validated cryptographic module	YES	
Used as (if applicable):		
Precinct counting device	YES	ImageCast Precinct and Evolution
Central counting device	YES	ImageCast Central

## Baseline Certification Engineering Change Order's (ECO)

This table depicts the ECO's certified with the voting system:

Change ID	Date	Component	Description	Inclusion
none			none	N/A



**U.S. ELECTION ASSISTANCE COMMISSION**

Voting System Testing and Certification Program

1201 New York Avenue, NW, Suite 300

Washington, DC. 20005

May 10, 2012

Ed Smith, Certification Manager  
Dominion Voting Systems  
2841 Hartwick Circle  
Longmont, CO 80503

**Sent via mail and e-mail**

**Re: Agency Decision – Grant of Certification**

Dear Mr. Smith,

As required under §5.9 of the EAC's Voting System Testing and Certification Program Manual, Dominion Voting Systems (DVS) and Wyle Laboratories have provided the necessary documentation for the Democracy Suite 4.0 voting system verifying that 1) the trusted build has been performed, 2) software has been deposited in an approved repository, 3) system identification tools are available to election officials, and 4) signed a letter stating, under penalty of law, that you have:

1. Performed a trusted build consistent with the requirements of §5.6 of the EAC's Certification Manual;
2. Deposited software consistent with §5.7 of the EAC's Certification Manual;
3. Created and made available system identification tools consistent with §5.8 of the EAC's Certification Manual (a copy and description of the system identification tool developed must be provided with the letter); and
4. Upon a final decision to grant certification, the manufacturer accepts the certification and all conditions placed on the certification.

Based on the review of the documentation above and the fact that DVS Democracy Suite 4.0 successfully completed conformance testing to the 2005 Voluntary Voting System Guidelines (2005 VVSG), the Voting System Testing & Certification Program Director has recommended EAC certification of this system.

I have reviewed all of the documentation and concur with the Program Director's recommendation. As such, I hereby grant EAC Certification to DVS Democracy Suite 4.0 to the 2005 Voluntary Voting System Guidelines.

The EAC certification number issued for this system is: **DVS-40-G-10**. In addition, a Certificate of Conformance shall be provided to DVS as evidence of the EAC certification of the Democracy Suite 4.0. The Certificate of Conformance shall be provided to DVS no later than five business day from the date of this letter, and it shall be posted on the EAC's Web site.

As stated in §5.11 of the EAC's Certification Manual, the EAC certification and certificate apply only to the specific voting system configuration(s) identified, submitted, and evaluated under the Certification Program. Any modification to the system not authorized by the EAC shall void the certificate.

If you have any questions or need further information, please do not hesitate to contact Brian Hancock or Jessica Myers at your earliest convenience. I thank you in advance for your time and attention to this matter and congratulate on this achievement.

Sincerely,



Mark A. Robbins  
General Counsel and Acting Executive Director  
Decision Authority

Cc: Brian Hancock, U.S. Election Assistance Commission  
Frank Padilla, Wyle Laboratories

# State of Tennessee



The Secretary of State  
State Capitol  
Nashville, Tennessee 37243-0305

Tre Hargett  
Secretary of State

615-741-2819  
Tre.Hargett@tn.gov

July 26, 2012

The Honorable Justin Wilson  
Comptroller of the Treasury  
State Capitol, First Floor  
Nashville, TN 37243

Comptroller Wilson:

You are undoubtedly aware of recent issues arising out of the Shelby County Election Commission's conduction of the state primary and county general election scheduled for August 2, 2012. To date, the Division of Elections has learned of over one thousand voters who have been given the wrong ballot during early voting. Additionally, voters in an area annexed by Collierville last year were found not to be listed as residents of the municipality.

These recent issues are just the latest in a series of errors in the Shelby County Election Commission stretching back at least a decade. Nearly every election cycle in the county in recent memory has been plagued by a myriad of errors and complaints of wrongdoing.

In 2010, an election official loaded the wrong information onto an electronic poll book which indicated that thousands of individuals had already cast a ballot when they in fact had not. In 2006, candidates sued the county election commission alleging that irregularities had affected the outcome of the county general election. A 2005 special election to fill a vacant seat in the Senate was voided based on a showing that ineligible felons and deceased individuals had voted in the election.

While each example is in and of itself unacceptable, together they indicate a troubling pattern of errors that cannot go unnoticed. These errors have eroded public confidence in the Shelby County Election Commission Administration to the point where every action taken by them is considered suspect. In fact, several members of the Shelby County legislative delegation have been in contact with us and expressed a concern about the current and past issues.

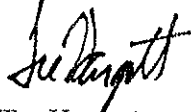
Therefore, we respectfully request that your office conduct an audit of the Shelby County Election Commission Administration.



While we realize that audits of county election commissions are conducted infrequently, we feel that such action is necessary in the present case to identify the issues that must be corrected to restore public trust in the election commission.

Shelby County's voters deserve to be able to exercise their right to vote with confidence. If we may be of further assistance as you consider this matter, please let us know. Thank you for your service to the citizens of our great state of Tennessee.

Sincerely,



Tre Hargett  
Secretary of State



Mark Goins  
Coordinator of Elections

cc: Members of Shelby County Legislative Delegation  
Members of Shelby County Election Commission  
Mr. Richard L. Holden, Shelby County Election Commission Administrator

Tre Hargett, Secretary of State  
**State of Tennessee**



Division of Elections  
312 Rosa L. Parks Avenue, 9<sup>th</sup> Floor  
Nashville, Tennessee 37243-0305

Mark Goins  
Coordinator

615-741-7956  
Mark.Goins@tn.gov

August 8, 2012

Richard Holden  
Administrator of Elections  
Shelby County Election Commission  
150 Washington Avenue, Suite 205  
Memphis, TN 38103

Rich,

As this office continues to attempt to identify why Shelby County voters were placed in the wrong districts and offered incorrect ballots during the August 2, 2012 election cycle, I would appreciate your responses to the following questions:

- When did you start the redistricting process?
- Who had oversight of the project?
- Was there a written plan for the redistricting process? If so, please include a copy.
- Which employees worked on the project?
- What were the roles and responsibilities of each employee?
- When did you first realize that there was a problem with your redistricting?
- What were the sources of the errors made during redistricting?
- Did you consult the new district maps to confirm changes were being applied correctly?
- Have you taken disciplinary action against any employees involved in the redistricting process as a result of the errors? If yes, what actions have been taken?

Additionally, it has been reported that voters in an area annexed by the City of Collierville last year had not yet been assigned as resident voters going into this election, in which there were local questions on the ballot. Please also answer the following questions as they relate to the City of Collierville:

- When did you receive the information from the City of Collierville required to update your records?
- Who had oversight of the project?

- Which employees worked on the project?
- What were the roles and responsibilities of each employee?
- What were the sources of the errors made regarding Collierville voters?
- Have you taken disciplinary action against any employees involved in the process as a result of the errors? If yes, what actions have been taken?

Thank you in advance for your responses to these questions. I hope that you are resolving any remaining issues. I respectfully request your responses by Wednesday, August 15, 2012.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Goins". The signature is fluid and cursive, with the first name "Mark" and last name "Goins" clearly distinguishable.

Mark Goins  
Coordinator of Elections

cc: The Honorable Tre Hargett, Tennessee Secretary of State  
Shelby County Election Commission